

Presentment Date: July 7, 2017
Time: 12:00 p.m.

ROSEN & ASSOCIATES, P.C.
Proposed Attorneys for the Debtor
and Debtor in Possession
747 Third Avenue
New York, NY 10017-2803
(212) 223-1100
Sanford P. Rosen
Alice P. Ko

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x
In re

Chapter 11

PRETTY GIRL OF FORDHAM ROAD CORP.
d/b/a PRETTY GIRL,

Case No. 17-11600 (SHL)

Debtor.

**NOTICE OF PRESENTMENT OF PROPOSED ORDER, PURSUANT TO RULE 1007
OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE, EXTENDING TIME
TO FILE SCHEDULES AND STATEMENT OF FINANCIAL AFFAIRS**

PLEASE TAKE NOTICE that upon the annexed application dated June 23, 2017 (the “**Application**”) of Pretty Girl of Fordham Road Corp. d/b/a Pretty Girl, the above-captioned debtor and debtor in possession (the “**Debtor**”), the undersigned will present for signature the attached proposed order extending the Debtor’s time to file its (a) schedules of assets and liabilities, (b) schedules of executory contracts and unexpired leases, and (c) statement of financial affairs to the Honorable Sean H. Lane, United States Bankruptcy Judge, United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, NY 10004-1406, on **July 7, 2017 at 12:00 p.m.**

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Application and entry of the proposed order shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York, shall set forth with specificity the grounds therefor, and be filed with the Bankruptcy Court electronically in accordance with General Order M-399 (General Order M-399 and the Procedures for the Filing, Signing and Verification of Documents by Electronic Means can be found at www.nysb.uscourts.gov, the official website for the Bankruptcy Court) by registered users of the Bankruptcy Court's case filing system and by all other parties in interest on a CD-ROM or other electronic media containing the document in PDF format (with a hard copy delivered directly to Judge Lane's chambers), and served in accordance with General Order M-399 upon (i) Rosen & Associates, P.C., proposed counsel to the Debtor, 747 Third Avenue, New York, NY 10017-2803, Attn.: Alice P. Ko, Esq. and (ii) the Office of the United States Trustee, 201 Varick Street, New York, NY 10014, Attn.: Andrea B. Schwartz, Esq. **so as to be received no later than 11:30 a.m. on July 7, 2017.** Unless objections are received by that time, the order may be entered by the Bankruptcy Court without a hearing.

Dated: New York, New York
June 23, 2017

ROSEN & ASSOCIATES, P.C.
Proposed Attorneys for the Debtor
and Debtor in Possession

By: /s/ Alice P. Ko
Alice P. Ko

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**UNITED STATES BANKRUPTCY COURT
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In re

Chapter 11

PRETTY GIRL OF FORDHAM ROAD CORP.
d/b/a PRETTY GIRL,

Case No. 17-11600 (SHL)

Debtor.

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**APPLICATION OF THE DEBTOR AND DEBTOR IN POSSESSION
FOR AN ORDER, PURSUANT TO RULE 1007 OF THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE, EXTENDING TIME TO FILE SCHEDULES AND
STATEMENT OF FINANCIAL AFFAIRS**

TO THE HONORABLE SEAN H. LANE,
UNITED STATES BANKRUPTCY JUDGE:

Pretty Girl of Fordham Road Corp. d/b/a Pretty Girl, the above-captioned debtor and debtor in possession (the “**Debtor**”), by its proposed attorneys, Rosen & Associates, P.C., respectfully represents as follows:

PRELIMINARY STATEMENT

1. This Application is submitted in support of the entry of an order, pursuant to Rule 1007(c) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), extending to July 14, 2017 the time by which the Debtor may file its (a) schedule of assets and

liabilities, (b) schedule of executory contracts and unexpired leases, and (c) statement of financial affairs (collectively, the “**Schedules and Statement**”). A copy of the proposed order is annexed hereto as Exhibit “A.”

JURISDICTION

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue of this case is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

3. On June 9, 2017 (the “**Petition Date**”), the Debtor commenced in this Court a voluntary case under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”).

4. The Debtor is operating its business and managing its property as a debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

5. To date, no trustee, examiner, or creditors’ committee has been appointed.

THE DEBTOR’S BUSINESS

6. The Debtor is a corporation organized under the laws of the state of New York. It maintains its corporate offices at 1407 Broadway, Suite 2300, New York, NY 10018. At the premises located at 201-213 East Fordham Road, Bronx, NY 10458, the Debtor operates a retail store under the name “Pretty Girl” that sells fashionable junior, missy, and plus-size clothing, accessories, and footwear to price-conscious women.

7. The Debtor is an affiliate of Pretty Girl, Inc. (“**Pretty Girl**”), which filed a voluntary petition under chapter 11 of the Bankruptcy Code on July 2, 2014 in the United States Bankruptcy Court for the Southern District of New York (*In re Pretty Girl, Inc.*, Case No. 14-

11979 (SHL)). The chapter 11 case of Pretty Girl was converted to one under chapter 7 of the Bankruptcy Code on December 23, 2014. The Debtor also is an affiliate of 72 Fashion Corp. and 1168 Liberty Corp., both of which have chapter 11 cases currently pending in this Court (*In re 72 Fashion Corp.*, Case No. 17-11601 (SHL), and *1168 Liberty Corp.*, Case No. 17-11602 (SHL), respectively), and 16 non-debtor affiliated stores (the “**Stores**”), each of which is separately incorporated.

8. The Debtor’s assets consist of its inventory, which secures its guaranty obligation to repay indebtedness in the amount of approximately \$300,000 (the “**Indebtedness**”) of Pretty Girl to JPMorgan Chase Bank, NA (“**Chase**”). The Indebtedness also is guaranteed by 72 Fashion Corp., 1168 Liberty Corp., and each of the Stores, as well as PGNY Sportswear, Inc., a non-debtor affiliate wholly owned by Albert Nigri, and Mr. Nigri. Mr. Nigri is the sole shareholder of Pretty Girl, the Debtor, 72 Fashion Corp., 1168 Liberty Corp., and the Stores.

9. Upon the conversion of Pretty Girl’s chapter 11 case, Chase gave notice to Pretty Girl, declaring it to be in default of the order entered in that case authorizing the use of cash collateral in which Chase has an interest. Chase was granted stay relief as against Pretty Girl to collect the Indebtedness. Since that time, the Debtor, 72 Fashion Corp., 1168 Liberty Corp., and the Stores have been, from time to time, making payments to Chase in reduction of the Indebtedness.

10. As of June 8, 2017, the Debtor’s books and records reflect assets totaling approximately \$192,000 and liabilities of approximately \$657,000, exclusive of amounts due to Chase under its guaranty.

11. On or about March 21, 2017, the Marshal of the City of New York served the Debtor with a Notice of Execution informing the Debtor that an execution (the “**Execution**”)

against the Debtor's personal property had been issued as a result of a judgment entered in favor of the City of New York and against the Debtor in respect of certain Environmental Control Board violations in the case *City of New York v. Pretty Girl of Fordham Road Corp.*, Marshal's Docket No. P80030. The amount of the lien arising out of the judgment and execution is approximately \$218,000 as of March 29, 2017.

12. As of the commencement of the Debtor's chapter 11 case, the Execution had not yet been carried out and, therefore, the Debtor's property has not been levied upon.

13. The Debtor commenced its chapter 11 case in order to continue to operate its business and to maintain, protect, and preserve its property.

RELIEF REQUESTED

14. By this Application the Debtor is seeking the entry of an order extending the time by which it must file its Schedules and Statement through and including July 14, 2017, without prejudice to its ability to seek a further extension. The deadline for the Debtor to file its Schedules and Statement is currently June 23, 2017.

15. Pursuant to section 521 of the Bankruptcy Code and Bankruptcy Rule 1007(b), a debtor is required to file its Schedules and Statement within fourteen (14) days after the Petition Date.

16. Bankruptcy Rule 1007(c), however, provides that "[a]ny extension of time to file schedules, statements and other documents required under this rule may be granted only on motion for cause shown and on notice to the United States Trustee and to any committee . . . trustee, examiner or other party as the court may direct." Fed. R. Bankr. P. 1007(c).

17. Here, the Debtor believes that "cause" exists for such an extension. The Debtor is currently understaffed, despite this being its "busy season," and it has not had

sufficient human resources to complete the tasks of reviewing records and completing the Schedules and Statement by its current deadline. In addition to insufficient staffing, timely completion of the Schedules and Statement has not been possible because the same staff preparing the Debtor's Schedules and Statement is also responsible for completing the Schedules and Statements of the two other related debtors with chapter 11 cases pending in this Court, 72 Fashion Corp. and 1168 Liberty Corp., both of which have the same deadline for filing Schedules and Statements as the Debtor.

18. Based on the foregoing, the Debtor submits that "cause" exists to extend the 14-day time period for filing its Schedules and Statement, and that such relief is in its best interest and the interests of its creditors and other parties in interest.

NOTICE

19. Notice of this Application will be given to: (a) the Office of the United States Trustee; (b) counsel for the Debtor's secured creditors; (c) the Debtor's 20 largest unsecured creditors; and (d) all persons who have filed a request for notice and service of papers in this case.

20. The Debtor respectfully submits that no other or further notice need be provided.

NO PRIOR REQUEST

21. No previous application for the relief sought herein has been made to this or any other court.

WHEREFORE, the Debtor respectfully requests that this Court (a) enter an order, substantially in the form attached hereto as Exhibit "A," and (b) grant such other and further relief as this Court deems just and proper.

Dated: New York, New York
June 23, 2017

ROSEN & ASSOCIATES, P.C.
Proposed Attorneys for the Debtor
and Debtor in Possession

By: /s/ Alice P. Ko
Alice P. Ko

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